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LANCASTER COUNTY
CLERK

BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF LANCASTER COUNTY, NEBRASKA

COUNTY CHANGE OF ZONE NO. 12001:)
TEXT AMENDMENT TO THE LANCASTER)
COUNTY ZONING RESOLUTION,) RESOLUTION NO. R 12-0023
TO ADD MARKET GARDEN TO THE LIST OF)
SPECIFICALLY PERMITTED USES IN THE)
AG AND AGR ZONING DISTRICTS, AS)
PROVIDED IN ATTACHMENT A)

WHEREAS, pursuant to Neb. Rev. Stat. § 23-114 (Reissue 2007), the Lancaster County Board of Commissioners is authorized to make amendments to the 1979 Zoning Resolution of Lancaster County, which are consistent with the County's Comprehensive Plan and after receipt of specific recommendations from the Lincoln/Lancaster County Planning Commission ("Planning Commission"); and

WHEREAS, the Director of Planning, on behalf of applicant Lakehouse Farms LLC, has requested a text amendment to Article 2, Section 2.088 Definitions, Article 4, Section 4.007 Permitted Special Uses (AG), Article 5, Section 5.007 Permitted Special uses (AGR), and Article 13, Section 13.001.36 Special Permits, of the Lancaster County Zoning Resolution, to add Market Garden to the list of specifically permitted uses in the AG and AGR zoning districts, as provided in Attachment "A," attached hereto and incorporated by this reference; and

WHEREAS, the Lincoln-Lancaster County Planning Department has recommended approval of this amendment concluding that the adoption of this text amendment will support the goals of the 2040 Comprehensive Plan to preserve agricultural land and promote locally grown food, while establishing appropriate controls on the type and extent of the accessory uses; and

WHEREAS, on February 22, 2012, after public hearing, the Lincoln-Lancaster County Planning Commission agreed with the staff recommendation and voted 7 to 0 to recommend

approval of said text amendments; and

WHEREAS, on March 20, 2012, the Board of Commissioners of Lancaster County conducted a public hearing regarding said text amendment and voted to approve said amendments.


NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of Lancaster County, Nebraska that the amendments to Article 2, Section 2.088 Definitions, Article 4, Section 4.007 Permitted Special Uses (AG), Article 5, Section 5.007 Permitted Special uses (AGR), and Article 13, Section 13.001.36 Special Permits, of the Lancaster County Zoning Resolution, to add Market Garden to the list of specifically permitted uses in the AG and AGR zoning districts, as provided in Attachment "A," are hereby adopted and approved.

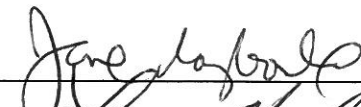



BE, IT FURTHER RESOLVED, that any other references in said Resolution which may be affected by the above specified amendments be, and they hereby are, amended to conform to such specific amendments.

DATED this 20 day of March, 2012, in the County-City Building, Lincoln,
Lancaster County, Nebraska.

BY THE BOARD OF COUNTY
COMMISSIONERS OF
LANCASTER COUNTY, NEBRASKA

APPROVED AS TO FORM
this 20 day of
March, 2012.


Deputy County Attorney
for JOE KELLY
Lancaster County Attorney





Heier Absent

Article 2 Definitions

2.088 Market Garden

Market garden shall mean a relatively small scale farming operation (20 to 40 acres in size) where the production of a diversity of fruits, vegetables, herbs and flowers is grown for sales primarily for direct human consumption rather than as feed for animals or for major processing before consumption. Market gardens are distinguished from other types of farming by the inclusion of accessory uses not typically found on farms. These accessory uses may include restaurants, agricultural education and training centers, agricultural tourism, or sales of agricultural products not grown on site.

4.007 Permitted Special Uses (AG)

ee) Market Garden

5.007 Permitted Special Uses (AGR)

w) Market Garden

13.001 Special Permits

36) Market Garden

Market Gardens may be allowed by special permit in the AG and AGR zoning districts under the following conditions:

a) Market garden shall have one or more of the following accessory uses associated with the market garden: restaurants, agricultural education and training centers, agricultural tourism, or sales of agricultural products not grown on site. The accessory uses must be located on the same premises as the market garden, and the products of the market garden must be a major feature of the use that is accessory to it;

b) The total area for the market garden and its accessory uses must be at least 20 acres but no more than 40 acres. Areas used for grazing or growing of crops for the feeding of animals on site may be excluded from the total area for the market garden;

c) The combined total area of all market garden accessory uses shall not exceed ten percent of the total area for the market garden. A single family dwelling located on the same premises as the market garden shall not be considered an accessory use to the market garden and shall not be counted toward the

combined maximum total area of all the market garden's accessory uses. The applicant shall provide a site plan showing the location, outdoor area, and building floor area of all accessory uses, their setbacks and intended use;

d) The Planning Commission may limit the maximum square footage of buildings associated with the market garden accessory use;

e) Direct access to a paved road may be required by the Planning Commission based upon the anticipated traffic generated by the use. The applicant shall include an estimate of all traffic generated based on the accessory uses on site in order to address the impact on the adjacent streets;

f) Parking shall be provided at a ratio of one space per 200 square feet of the floor area devoted to retail and service use. When the accessory use includes festivals, special events, or other large gatherings, an overflow parking area may be required with three stalls for every acre included within the special permit area. Parking may be provided on un-paved areas, except for ADA accessible stalls.